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Attorneys for Defendant
CEIBA LEGAL, LLP

[Counsel for Other Parties Listed on
Signature Page]

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELEM INDIAN COLONY OF POMO
INDIANS OF THE SULPHUR BANK
RANCHERIA, A FEDERALLY
RECOGNIZED INDIAN TRIBE

Plaintiff,

vs.

CEIBA LEGAL, LLP, MICHAEL
HUNTER, ANTHONY STEELE,
DAVID BROWN, ADRIAN JOHN,
PAUL STEWARD, NATALIE
SEDANO GARCIA, KIUYA BROWN,
AND DOES 1-100 INCLUSIVE,

Defendants.

Case No.: 3:16-cv-03081-WHA

**STIPULATION AND ~~PROPOSED~~ ORDER
SETTING SCHEDULE FOR (1) FILING BILL
OF COSTS AND (2) MOTION FOR
ATTORNEY'S FEES BRIEFING AND
HEARING**

[L.R. 6-2]

STIPULATION

Plaintiff and defendants Ceiba Legal, LLP, Michael Hunter, Anthony Steele, David
Brown, Adrian John, Natalie Sedano Garcia, and Kiuya Brown (collectively the "Undersigned

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STIPULATION SETTING SCHEDULE FOR (1) FILING BILL OF COSTS AND (2) MOTION
FOR ATTORNEY'S FEES BRIEFING AND HEARING (L.R. 6-1)

Case No. 3:16-cv-03081-WHA

DENTONS US LLP
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SAN FRANCISCO, CALIFORNIA 94105-2708
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Parties”) hereby stipulate and agree as follows, and respectfully request that the Court approve and give effect to their stipulation:

1. This Court granted the Motions to Dismiss of Ceiba Legal, LLP, and Michael Hunter, Anthony Steele, David Brown, Adrian John, Natalie Sedano Garcia, and Kiuya Brown (“Undersigned Defendants”) on November 3, 2016. (ECF No. 63.)

2. Based on this Court’s judgment, the Undersigned Defendants plan to file a motion for an order requiring Plaintiff pay attorney’s fees of the Undersigned Defendants incurred in defending this action, which motion is currently due November 17, 2016.

3. Plaintiff desires that Gregory Fayard of Klinedinst PC handle all further proceedings in this case on Plaintiff’s behalf, including defending any attorneys’ fees motions. Mr. Fayard has represented that he expects today to receive formal documents substituting him in as counsel for Plaintiff in place of Jack Duran of Duran Law Office.

4. Counsel for the Undersigned Defendants have contacted Mr. Fayard to meet and confer for the purpose of attempting to resolve any disputes with respect to attorneys’ fees and evaluate whether the Undersigned Parties can reach a negotiated solution without the need for a motion before this Court, as required by Local Rule 54-5(b)(1).

5. Mr. Fayard has represented that given his recent retention as counsel, additional time is required to develop an understanding of the history of this case and the merits of the proposed attorneys’ fees motion and to allow the Undersigned Parties to complete the process required by Local Rule 54-5(b)(1) and attempt to resolve whether the Undersigned Defendants are entitled to Plaintiff’s payment of their attorneys’ fees.

6. Because of Mr. Fayard’s recent retention, the substantial work required to brief an attorneys’ fees motion should one be necessary, and counsel’s existing scheduling limitations, the Undersigned Parties wish to agree to a mutually convenient schedule for submitting any bill of costs and for briefing and hearing any attorneys’ fees motion.

7. The Undersigned Parties agree that the interest of judicial economy and convenience of the Undersigned Parties would be furthered by setting, and ask the Court to set,

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STIPULATION SETTING SCHEDULE FOR (1) FILING BILL OF COSTS AND (2) MOTION FOR ATTORNEY’S FEES BRIEFING AND HEARING (L.R. 6-1)

Case No. 3:16-cv-03081-WHA

the following schedule, which Mr. Fayard has confirmed is acceptable to him:

- a. Motion(s) for attorney's fees and any bill(s) of costs due November 30, 2016;
- b. Opposition brief(s) to motion(s) for attorney's fees due December 22, 2016;
- c. Reply brief(s) on motion(s) for attorney's fees due January 10, 2017; and
- d. Hearing on the motion(s) for attorney's fees on January 26, 2017, or another date convenient to the Court.

8. This time modification will not effect the schedule of this case, and serves to enlarge the time allowed for a motion for attorney's fees and filing of a bill of costs under Fed. R. Civ. P. 54(d). (*See* L.R. Civ. 6-2(a)(3).)

Respectfully submitted,

Dated: November 15, 2016

DENTONS US LLP

/s/ Ian R. Barker
Ian R. Barker

Attorneys for Defendant Ceiba Legal, LLP

Dated: November 15, 2016

DURAN LAW OFFICE

/s/ Jack Duran, Jr.
Jack Duran, Jr.

Attorneys for Plaintiff Elem Indian Colony of
Pomo Indians of the Sulphur Bank Rancheria

1 Dated: November 15, 2016

BRADY & VINDING

2
3 /s/ Michael Brady

Michael Brady

4 Attorneys for Defendants Michael Hunter,
5 Anthony Steele, David Brown, Adrian John,
6 Natalie Sedano Garcia, and Kiuya Brown

7 Dated: November 15, 2016

CEIBA LEGAL, LLP

8 /s/ Little Fawn Boland

9 Little Fawn Boland

10 Attorneys for Defendants David Brown, Adrian
11 John, Natalie Sedano Garcia, and Kiuya Brown

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ATTESTATION OF E-FILED SIGNATURES

I, Ian R. Barker, am the ECF user whose ID and password are being used to file this Joint Stipulation Extending Defendants' Time to Respond to the Complaint. In compliance with Local Rule 5-1, I hereby attest that all signatories have concurred in this filing.

Dated: November 15, 2016

DENTONS US LLP

/s/ Ian R. Barker

Ian R. Barker

Attorneys for Defendant
Ceiba Legal, LLP

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~~PROPOSED~~ ORDER

The Court, having reviewed the foregoing Stipulation, and good cause appearing, orders as follows:

1. ~~The Undersigned~~ Defendants are granted leave to file motion(s) for attorney's fees and any bill(s) of costs on or before November 30, 2016.
2. Plaintiff is granted leave to oppose the motion(s) for attorney's fees on or before ~~December 22, 2016.~~ December 14, 2016.
3. ~~The Undersigned~~ Defendants are granted leave to file reply brief(s) to Plaintiff's opposition(s) to the motion(s) for attorney's fees on or before ~~January 10, 2017.~~ December 21, 2016.
4. The motion for attorney's fees is set for hearing before this Court on ~~January 26, 2017.~~ January 5, 2017.

PURSUANT TO STIPULATION (AS MODIFIED), IT IS SO ORDERED.

Dated: November 16, 2016.


UNITED STATES DISTRICT JUDGE